IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Letters Patent Appeal No.326 of 2007
In
Writ Petition No.5021 of 2006 (Decided)

(Ku. Shamshad d/o Sardarkhan Pathan v. Zilla Parishad, Gadchiroli, and another)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri N.D. Thombre, Advocate for the Appellant.
Shri H.A. Deshpande, Advocte for the Respondents.

CORAM : K.J. Rohee & R.C. Chavan, JJ.
DATE : 20th November, 2007

1. Heard the learned counsel for the parties.

2. The appellant, respondent before the learned Single Judge, was appointed as Health Assistant by order dated 10-8-2004. Her appointment was purely on temporary basis and she was to be removed from service after two years, unless her appointment was made regular by the District Selection Committee, for which purpose she was required to appear before the District Selection Committee for interview.

3. On 10-6-2006 as well as on 19-4-2007, the advertisements were issued for the said post and an application format was also prescribed in the said advertisements. However, the appellant did not apply in the prescribed application format. Instead, she made a representation to the Chief Executive Officer, Zilla Parishad, Gadchiroli, that she should be interviewed by the District Selection Committee. It

seems that her representation was not considered and in our view, the learned Single Judge has rightly pointed out that the appellant never applied in pursuance of those advertisements, particularly when she was holding the post on temporary basis. It is thus clear that no right of the appellant has been violated.

4. We find no illegality in the impugned order of the learned Single Judge.

5. The Letters Patent Appeal is, therefore, dismissed.

JUDGE JUDGE

pdl